

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA,

v.

Criminal Case No. 4:17cr76

ELMER EMMANUEL EYCHANER, III,

Defendant.

ORDER

This matter is before the Court on a Motion for Bill of Particulars filed by Defendant Elmer Emmanuel Eychaner ("Defendant" or "Eychaner"). ECF No. 23. Having reviewed and considered the parties' positions regarding the need for further clarity regarding Counts One and Two of the Indictment, the Court agrees with Defendant that the Indictment currently does not give him enough information to avoid unfair surprise at trial, and therefore **GRANTS** Defendant's Motion for a Bill of Particulars. The Government is therefore **DIRECTED** to file a Bill of Particulars by Friday, May 4, 2018, listing the following:

- (1) For Count One, the website or websites that are alleged to have been visited in violation of 18 U.S.C. § 2252(a)(4)(B).


(2) For Count One, the specific images that are alleged to contain a visual depiction of a minor engaging in sexually explicit conduct.

(3) For Count Two, the specific images that allegedly constitute obscene anime cartoons.

The Clerk is **DIRECTED** to forward a copy of this Order to Counsel for Defendant and to the United States Attorney's Office in Newport News, Virginia.

IT IS SO ORDERED.

Norfolk, Virginia
April 30, 2018



Mark S. Davis
UNITED STATES DISTRICT JUDGE